

CLEAN WATER ACT2-52-B. Class II Administrative Penalty: Agency Representation in Hearings; Initiating Internal Appeals of Adverse Determinations; and Representing Agency in Appeals Under Section 309(g) and 311(b) of the Clean Water Act1. **AUTHORITY.**

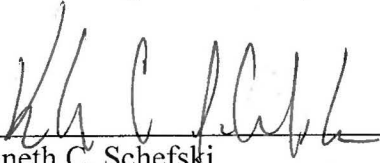
- a. To represent the U.S. Environmental Protection Agency in Class II civil penalty adjudications conducted under sections 309(g) and 311(b) of the Clean Water Act; and
- b. To represent the agency in internal appeals from orders, rulings, or decisions entered in administrative proceedings under sections 309(g) and 311(b) of the CWA, whether or not initiated by the agency, and in proceedings initiated by commenters under section 309(g)(4)(C) of the CWA.

2. **TO WHOM DELEGATED.** Associate regional counsel for Enforcement.3. **LIMITATIONS.** None.4. **REDELEGATION AUTHORITY.**

- a. This authority may be redelegated to any agency attorney.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.**

- a. 40 C.F.R. Part 22.
- b. EPA Delegations 1-37 (Hearings) and 1-38-A (Administrative Proceedings).

  
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Kenneth C. Schefski  
Regional Counsel

2/25/2020  
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Date